



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: Atty. Docket No.: 2711-0012
RICCIULLI, Livio Confirmation No.: 8636
Appln. No.: 10/630,559 Group Art Unit: 2445
Filed: July 30, 2003 Examiner: NGUYEN, MINH CHAU
Title: **ON-DEMAND OVERLAY ROUTING FOR COMPUTER-BASED COMMUNICATION NETWORKS** Date: April 16, 2009

TERMINAL DISCLAIMER
(By Attorney)

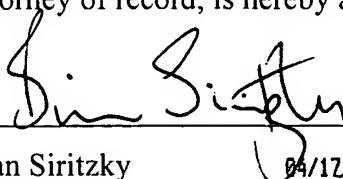
Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The **Owner, Level 3 Communications, LLC**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent No. 6,473,405** (to which said **Owner** also has legal title) as the term of said **prior patent** is defined in 35 U.S.C. 154 to 156 and 173, and as the term of said **prior patent** is presently shortened (if at all) by any terminal disclaimer. The **Owner** hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the **Owner** does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned petitioner, an attorney of record, is hereby acting for the **Owner**.

Atty. Sig.: 

Name: Brian Siritzky

Reg. No: 37,497

Date: April 16, 2009

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Terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

*Attorney and client: Please note on that other file and also this application file not to assign either separately in view of this disclaimer.